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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRELL EDWARD SANCHO and
JINKY AN MANIULIT,

Defendants.

No. CR-05-00482- JSW

~~PROPOSED~~ ORDER EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

This matter came on the calendar of the Honorable Jeffrey S. White on September 29, 2005. At that time, the parties requested that the matter be continued until December 22, 2005 at 2:30 p.m.

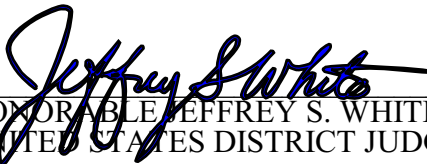
The parties requested an exclusion of time under the Speedy Trial Act from September 29 through December 22, 2005 based upon the need for continuity of counsel and effective preparation of counsel. The government is providing discovery to the defense. The defendant's counsel, Ira Salzman, needs time to review this discovery. Moreover, as detailed in the parties

1 Joint Status Report filed in advance of the September 29 appearance, Mr. Salzman is currently
2 undergoing chemotherapy treatment for cancer. Thus, the time needed to review discovery must
3 be extended to permit Mr. Salzman to undergo and recover from this treatment. Therefore, the
4 parties are requesting an exclusion of time. The parties agree that the time from September 29
5 through December 22, 2005 should be excluded in computing the time within which trial shall
6 commence. See 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

7 Accordingly, the Court HEREBY ORDERS that the time from September 29 through
8 December 22, 2005 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds
9 that the failure to grant the requested exclusion would deny the defendant continuity of counsel
10 and reasonable time necessary for effective preparation, taking into account the exercise of due
11 diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by
12 granting the requested exclusion outweigh the best interest of the public and the defendant in a
13 speedy trial and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The
14 Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §
15 3161(h)(8)(A).

16 SO ORDERED.

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18 DATED: October 6, 2005


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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21 Approved as to form:

22
23 /s/ Ira Salzman
24 IRA SALZMAN, ESQ.
25 Counsel for Defendant SANCHO

26 /s/ Monica Fernandez
27 MONICA FERNANDEZ
28 Assistant United States Attorney
Counsel for the United States